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September 22, 2023

Via Electronic Case Filing

The Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street, Courtroom 630
White Plains, New York 10601

Re: *White Plains Aviation Partners, LLC, d/b/a Million Air White Plains v. The County of Westchester*, Case No. 21 Civ. 5312 (VB)

Dear Judge Briccetti:

Counsel for plaintiff White Plains Aviation Partners, LLC, d/b/a Million Air White Plains (“Million Air”), and counsel for defendant County of Westchester (the “County”), jointly submit this letter to respectfully request a stay of the litigation until November 30, 2023, because of the ongoing discussions between the parties concerning a number of the material issues in this action.

Under the current Scheduling Order, all discovery is to be completed by November 1, 2023. Currently, the parties have completed voluminous document discovery and have commenced depositions, with approximately twelve scheduled over the next two months, including several third-party depositions.

As noted in the parties’ joint status letter to the Court, dated September 13, 2023, the parties also have been engaged in ongoing discussions over the last several months concerning a number of the material issues in this case. In particular, the parties are in the process of negotiating a proposal concerning a “T-Hangar” on Million Air’s leased premises that can be used to house certain light general aviation aircraft. Under this proposal, Million Air would put the T-Hangar back into service in an effort to resolve issues relating to this hangar. In addition, the parties also are discussing other issues that relate to light general aviation use and Million Air’s proposed new hangar. Million Air is working to address the concerns raised by the County, and these discussions and actions have required increasing expenditures of resources and time by both parties.

Most importantly, the parties’ ongoing actions all relate directly to the claims and/or counterclaims in this action, and have the potential to resolve some or all of them. Even if the parties are unable to resolve the entire litigation, the parties’ ongoing efforts should, at a minimum, streamline or reduce the material issues in the case, allowing for more focused and reduced discovery and depositions. A stay also will allow the parties to focus their resources on these involved discussions and associated tasks, as opposed to the significant discovery currently scheduled.

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For all of these reasons, the parties jointly request a stay of the current litigation, until November 30, 2023. If the Court grants this request, the parties propose that they be allowed to update the Court by November 20, 2023, as to the status of their ongoing discussions and efforts.

The parties thank the Court for its consideration of their request.

Respectfully submitted,

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